

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA
MARTINSBURG**

UNITED STATES OF AMERICA,

Plaintiff,

v.

AJARHI SAVIMI ROBERTS,

Defendant.

**Case No.: 3:17CR50-1
(GROH)**

ORDER FROM DETENTION HEARING

On July 6, 2017, came the United States of America by Lara K. Omps-Botteicher, Assistant United States Attorney, and came Defendant, AJARHI SAVIMI ROBERTS, in person and by his counsel, J. Mark Sutton, Esq., for a hearing on the United States Motion to Detain [ECF No. 16], in accordance with the Bail Reform Act, Title 18, United States Code, Section 3142(f). The parties presented evidence and witness testimony was taken.

A. The Standards

Title 18, United States Code, § 3142(g) provides the specific factors that are to be considered to determine whether there are conditions of release that will reasonably assure the appearance of the person as required and the safety of any other person and the community. Those factors are:

1. The nature and consequences of the offense charged, including whether the offense is a crime of violence, a violation of section 1591, a Federal

crime of terrorism, or involves a minor victim or a controlled substance, firearm, explosive, or destructive device;

2. The weight of the evidence against the person;
3. The history and characteristics of the person, including but not limited to community ties, employment, criminal history, record of court appearance or whether the person was on probation or parole at the time the current offense was committed; and
4. The seriousness of the danger to any person or the community that would be posed by the person's release.

B. Findings of Fact and Conclusions of Law

On June 20, 2017, Defendant was indicted on thirty-six counts of a thirty-six count indictment. Defendant was charged with fraud with identification documents and bank fraud, in violation of 18 U.S.C. Sections 1028 and 1344. Pursuant to Title 18, United States Code, Section 3142(e), the presumption to detain does not apply in this case.

The Court finds as follows:

1. Defendant is not a U.S. Citizen but has lived in the United States for approximately 14 years having relocated to Maryland from Jamaica with his parents when he was 11 years old. Defendant reports he has legal standing in this country as a permanent resident.
2. Defendant has not visited Jamaica or traveled outside the United States since his arrival.
3. Defendant is not a flight risk by a preponderance of the evidence.

4. Defendant's criminal record is minimal.
5. There is not clear and convincing evidence that Defendant would be a danger to this community.
6. The Order Setting Conditions of Release filed herein will reasonably ensure the appearance of Defendant and the safety of the community.

C. Decision

Based upon the evidence presented and the above findings of fact and conclusions of law, the **Government's Motion to Detain [ECF No. 16] is DENIED.** Accordingly, it is hereby

ORDERED that Defendant immediately be **RELEASED** from the Easter Regional Jail on the Order Setting Conditions of Release filed herein and immediately report to the U.S. Probation office.

The Clerk of the Court is directed to provide a copy of this Order to parties who appear pro se and all counsel of record, as applicable, as provided in the Administrative Procedures for Electronic Case Filing in the United States District Court for the Northern District of West Virginia.

DATED: 7-6-2017



ROBERT W. TRUMBLE
UNITED STATES MAGISTRATE JUDGE